

EXHIBIT 13

Sexual Harassment and Discrimination Policy

Bank of America



Bank of America is committed to maintaining a workplace free of unlawful harassment and discrimination based on race, color, religion, sex (including pregnancy, childbirth or related medical condition), gender, sexual orientation, national origin, ancestry, age, disability, veteran status or any other factors prohibited by law ("prohibited behavior"). The company considers such behavior unacceptable and contrary to our core values in that it undermines our goal of providing an inclusive environment. The company does not tolerate any violation of this policy.

This policy also specifically covers sexual harassment as a prohibited behavior that is defined by various laws and that is not tolerated by Bank of America. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.

Sexual harassment takes place when any of these occur:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following are examples of types of prohibited behavior of a sexual or discriminatory nature that are not allowed:

- *Verbal harassment*: epithets, derogatory comments, negative stereotypes, offensive remarks or slurs. Examples: name-calling, belittling, jokes, sexually explicit or degrading words to describe an individual, comments about an associate's anatomy and/or dress, questions about a person's sexual practices, use of patronizing terms or remarks, verbal abuse or graphic verbal commentaries about the body
- *Physical harassment*: assault, impeding or blocking movement or any physical interference with normal work or movement, when directed at an individual. Examples: touching, pushing, pinching, patting, grabbing, brushing against or poking another associate's body or requiring or suggesting that an associate wear sexually suggestive clothing
- *Visual harassment*: derogatory posters, cartoons or drawings. Examples: discriminatory or sexually oriented pictures, writings or objects; displaying or permitting the display of sexually explicit or discriminatory materials on the Internet or the Bank of America Intranet; obscene letters, e-mails, or other forms of Web-based communications such as chat rooms; staring at an associate's anatomy; leering; sexually oriented gestures or unwanted love letters or notes
- *Sexual favors*: unwanted sexual advances that condition an employment benefit upon an exchange of sexual favors. Examples: continued requests for dates; promises of advancement or additional wages in exchange for sexual favors; any threat of demotion, termination and so forth if requested sexual favors are not given; making or threatening reprisals after a negative response to sexual advances or propositioning an individual

It is impossible to define every action or all words that could be reasonably interpreted as sexual harassment or discrimination. The examples listed above are not meant to be a complete list of prohibited behavior, nor do they always constitute sexual harassment or discrimination. Although it depends upon the circumstances, sexual harassment generally involves behavior that is uninvited, unwelcome and repeated. Sexual harassment may involve an associate at any level or an individual conducting business with or for the company.

Sexual harassment may also occur outside the workplace, depending upon the circumstances. The same standards of acceptable behavior applicable to associates' regular work environment also apply to all company sponsored business activities taking place outside the workplace. Outside business activities, including entertainment, should not be conducted at establishments where sexually explicit or offensive entertainment is offered. Associates should take care not to engage in any work related activity (inside or outside the workplace) that could reflect poorly upon the company or otherwise cause damage to the company's business reputation.

Reporting sexual harassment or other prohibited behavior

Do not tolerate prohibited behavior, including sexual harassment or discrimination. You should report such conduct even if you are not the target.

If you believe you are being sexually harassed, you should consider confronting the harasser and ask him or her to stop, if it is appropriate and sensible to do so. The person may not realize the advances or behaviors are offensive. Sometimes a direct discussion ends the situation.

Report prohibited behavior including sexual harassment or discrimination by contacting your manager or a Personnel Center representative. You do not first have to speak with a manager or with the harasser before contacting the Personnel Center representative at 1.800.556.6044 (TDD 1.800.930.8044 for hearing-impaired associates).

Associates are not discriminated or retaliated against for reporting what they believe to be prohibited behavior, including sexual harassment, other unlawful harassment or discrimination. Such conduct or retaliation may be reported either in writing or verbally.

The company investigates reported incidents of sexual harassment, other discrimination and retaliation. Investigations are conducted in as discreet a manner as is compatible with a thorough investigation of the complaint.

If the company finds this policy was violated or other inappropriate conduct of a sexual, discriminatory or retaliatory nature has occurred, disciplinary action up to and including termination from employment, may result.

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